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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,391	12/22/2000	Magnus Hansson	45051-00010	1122

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EXAMINER

VUONG, QUOCHEN B

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/745,391

Applicant(s)

HANSSON, MAGNUS

Examiner

Quochien B Vuong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \*   c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 12/22/00 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogasawara (U.S. Patent Number 6,577,861).

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Regarding claim 1, Ogasawara (figure 4) discloses a portable communication apparatus comprising a microphone (reference numeral 100); a processing device (reference numeral 38 and 104) having an input operatively coupled to the microphone; wherein the processing device is adapted to generate a digital output signal from a first electric signal received from the microphone; a reading device (reference numeral 20 or 27) adapted to generate a second electric signal from an optical or magnetic input signal; wherein the processing device is operatively coupled to the reading device such that the second electric signal from the reading device may be received at the input of the processing device (column 14, line 63 – column 16, line 7).

Regarding claim 2, Ogasawara disclose a switching device having a first input coupled to the microphone, a second input coupled to the reading device, an output coupled to the processing device, and a control input for selecting whether the first or the second electric signal is to be forwarded to the processing device (column 15, lines 8-55).

Regarding claim 3, Ogasawara disclose the reading device comprises an optical emitter and an optical receiver for reading information stored in a barcode (figure 4, reference numeral 20).

Regarding claim 4, Ogasawara disclose the reading device comprises a magnetic sensor for reading information stored in a magnetic strip on a card (figure 4, reference numeral 27).

Regarding claim 5, Ogasawara disclose the processing device comprises an amplifier (figure 4, reference numeral 130), an A/D converter (reference numeral 120), and a digital signal processor (reference numeral 122, 124, and 128).

Regarding claim 6, Ogasawara disclose the apparatus is a radio telephone (column 9, lines 10-20).

Regarding claim 7, Ogasawara disclose the reading device is integrated inside an apparatus housing of the portable communication apparatus (column 9, lines 36-40).

Regarding claim 8, Ogasawara disclose the reading device is located outside an apparatus housing of the portable communication apparatus and is connected through an accessory connector provided in the apparatus housing (column 9, lines 30-35; and figures 1-4).

Regarding claim 10, Ogasawara disclose the radiotelephone comprises a mobile telephone (column 9, lines 10-20).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara in view of Zipf et al. (U.S. Patent Number 5,604,640).

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Regarding claim 9, Ogasawara discloses the portable communication apparatus as in claim 4. Ogasawara does not specifically disclose the magnetic sensor comprises a coil. However, it is well known in the art for a magnetic sensor comprising a coil as taught by Zipf et al. (column 4, lines 24-35, and figure 3). Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the coil of Zipf et al. to the magnetic sensor of Ogasawara as a system design preference for sensing the information.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Raith (US 6,493,550) discloses a system proximity detection by mobile stations.

Sugitani (US 6,566,872) discloses a magnetic sensor device.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2021


Crystal Drive, Arlington, VA 22202, Sixth Floor (Receptionist).

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Any inquiry concerning this communication from the examiner should be directed to Quochien B. Vuong whose telephone number is (703) 306-4530. The examiner can normally be reached on Monday through Friday from 9:30 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377.



Quochien B. Vuong

Aug. 18, 2003.